

Internal investigation finds off-duty Boston officer did not use excessive force with pedestrian

By [Dialynn Dwyer](#), [Meagan McGinnes](#) September 20, 2016

An internal investigation into an incident of an off-duty Boston police officer caught on camera confronting a pedestrian in the Back Bay determined that the civilian was not slammed to the ground by the officer and, instead, tripped on his own accord, Boston Police Commissioner William Evans said during a press conference Tuesday.

The May 24 incident began when Milton Gurin, 54, [hit Boston Police Officer Edward Barrett's vehicle with an umbrella](#) as it was turning onto Arlington Street, according to police.

Stephen Harlowe, who recorded and [posted video of the incident on Facebook](#), said in the post that he witnessed Barrett chasing the pedestrian down the street, tackling him, and slamming his head on the ground.

However, Evans said the department's investigation "directly contradicted" Harlowe's claims of excessive force.

Police spoke with seven witnesses—including two of Harlowe's coworkers—as well as seven officers and Gurin himself regarding the incident. Evans said during the investigation police also reviewed cellphone videos, a surveillance video taken from Arlington and Boylston streets, police radio transmissions, and the incident report to determine Gurin tripped and fell to the ground before Barrett caught up with him.

Gurin and civilian witnesses also all consistently stated that Gurin was not slammed into the pavement by the officer but that his face was held to the ground, police said. Cellphone and surveillance videos corroborated those statements, according to police.

"[He] wasn't violently tackled, his head wasn't slammed to the ground, and his hair wasn't pulled," Evans said.

Police Superintendent Frank Mancini said Barrett used an arrest technique consistent with police training. Evans added he believes that there were a "few minor issues" regarding the incident and that they were addressed through counseling. "There's clearly no sign of excessive force," he said.

According to [The Boston Globe](#), Gurin told police that the officer "did have a green signal, but he was upset that [the officer] did not allow him to cross ahead of him and struck the window with his umbrella."

"The officer clearly believed his window was, in fact, broken by [Gurin] when he was crossing the street," Evans said regarding the officer's actions.

Boston police, not Gurin, initiated the investigation into the incident, according to Evans. Evans said it took five weeks for Gurin to speak with investigators and that he never came in to the station to file an incident report.

"This case, I believe, is a good example of why it is critically important that a full investigation is done before conclusions from the incident can be appropriately drawn," he said.

Gurin's attorney [told the Globe](#) scheduling issues delayed the meeting with police.

Evans told *Boston Public Radio* hosts Jim Braude and Margery Eagen earlier Tuesday he'd hoped to make the findings of the investigation public several weeks ago, but that the recent debate with the police union over the department's body camera pilot program caused the delayed announcement.

Barrett, a patrol officer in West Roxbury and 20-year veteran with the department, had been investigated twice before after allegations were made that he'd used excessive force, the [Globe](#) reports. Neither of the complaints, made in 2005 and 2006, were found to be valid.

"All his supervisors say he is a well mannered police officer," Evans said. "... So I would like to dispel that we are dealing with a repeated officer who was involved.

He's a top notch officer who has a cool head and the way he's been portrayed is not the way officer Barrett is."

TOPICS: [Local News](#)

Want to see what readers are saying about our stories?

Check out the conversations on [Boston.com's Facebook Page](#)

Tips? Corrections? Feedback? Email us at tips@boston.com



SCIENCE

Climate change threatens world's coffee supply, report says

September 23, 2016 | 5:00 AM



NATIONAL NEWS

Sacramento Mayor Kevin Johnson tackles protester who hit him with pie

September 22, 2016 | 10:55 PM



CRIME

Teen charged after allegedly flipping stolen Land Rover in Roxbury, critically injuring passenger

September 22, 2016 | 10:02 PM



LOCAL NEWS

19-year-old dies after crash in Raynham

September 22, 2016 | 9:49 PM



CRIME

Police investigating shooting inside Stoughton CVS

September 22, 2016 | 8:15 PM

**CRIME**

Maine man who set lobster boat on fire gets 7 years

September 22, 2016 | 7:10 PM

**BEER**

Barrel House Z's taproom is now open

September 22, 2016 | 7:07 PM

**LOCAL NEWS**

Andover police investigating report of 'suspicious' ice cream truck driver

September 22, 2016 | 6:20 PM

**CRIME**

Police: South Boston drug bust nets 3 arrests

September 22, 2016 | 6:10 PM

**NATIONAL NEWS**

Tulsa police officer charged in man's death

September 22, 2016 | 5:03 PM

**ANIMALS**

Animal rescue team captures wayward manatee off Cape Cod

September 22, 2016 | 4:45 PM

**ANIMALS**

Dog hit by commuter rail train with severed leg looking for new home

September 22, 2016 | 3:37 PM



NATIONAL NEWS

Yahoo hack steals personal info from at least 500 million accounts

September 22, 2016 | 3:31 PM



POLITICS

Baker says he agrees with Warren: Wells Fargo CEO should resign

September 22, 2016 | 2:26 PM



LOCAL NEWS

Motorcycle rider dies in Lawrence crash

September 22, 2016 | 1:58 PM



LOCAL NEWS

Man struck, killed by Amtrak train in Mansfield

September 22, 2016 | 1:51 PM



NATIONAL NEWS

Charlotte chief: Family will watch police video of shooting

September 22, 2016 | 12:05 PM



LOCAL NEWS

Braintree police chief to retire after evidence disappeared from department

September 22, 2016 | 10:38 AM



LOCAL NEWS

Police: Moose killed, 1 person hurt, in Westborough crash

September 22, 2016 | 9:42 AM

**LOCAL NEWS**

Police issue arrest warrant for Quincy real estate agent
September 22, 2016 | 9:08 AM

**LOCAL NEWS**

Founder of J. Geils Band facing drunken driving charge
September 22, 2016 | 9:04 AM

**LOCAL NEWS**

Route 128 will be shut down for two days in November
September 22, 2016 | 8:58 AM

**CRIME**

Massachusetts man sentenced for raping 2 teens
September 22, 2016 | 7:40 AM

**LOCAL NEWS**

Tsarnaev prosecutor appointed first assistant US attorney
September 22, 2016 | 6:05 AM

**NATIONAL NEWS**

Disney pulls boy's costume critics lambasted as 'Polyface'
September 22, 2016 | 5:00 AM

**LOCAL NEWS**

Gay community's longtime haven closing its doors in Lynn
September 22, 2016 | 5:00 AM

**BOOKS**

Jodi Picoult to kick off book tour for 'Small Great Things' in Chestnut Hill

September 22, 2016 | 5:00 AM

**NATIONAL NEWS**

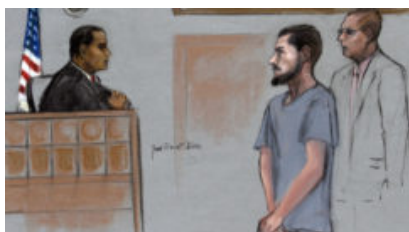
Firestorms at 2 colleges after students share racially charged photos

September 22, 2016 | 5:00 AM

**CRIME**

3 men plead guilty to sex trafficking minor

September 22, 2016 | 5:00 AM

**CRIME**

Rhode Island man pleads guilty in plot for Islamic State group to behead blogger

September 22, 2016 | 1:04 AM

©2016 Boston Globe Media Partners, LLC

[Privacy Policy](#) | [Terms of Service](#) | [Ad Choices](#)